

10/023,032

REMARKS

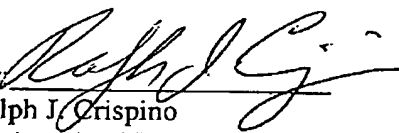
Applicants wish to thank the Examiner for the attention accorded to the instant application. Claims 61-82, which were renumbered by Examiner's Amendment, are presented herein as amended by the Examiner, including claim dependencies.

With respect to the Examiner's rejections of claims 61-63, 65, 66, 69 and 70 based on 35 U.S.C. §102(b), and the rejections of claims 64, 67, 686 and 71 based on 35 U.S.C. §103(a), it is respectfully submitted that reliance of Broer U.S. Patent No. 5,506,704, it is respectfully submitted that nowhere in the reference is disclosure or reference to "sites of non-linearly varying pitch across the thickness of said film", as claimed in the present claims 61-71. Rather, Broer discloses that the "pitch of the molecular helix is varied in he layer, said pitch increasing continuously from one surface of the optically active layer to the other surface" (col. 8, line 66-col. 9. line 2), and Figure 5. Applicant respectfully request reconsideration.

The Examiner rejected claims 72-82 under the judicially created doctrine of double patenting over claims 25-28, 30, 49 and 54 of U.S. Patent No. 6,034,753. The Applicants are submitting a timely filed terminal disclaimer in compliance with 37 CFR 1.321 (c). The undersigned is a registered attorney of record.

The amendments herein do not introduce any new matter. It is believed that the claims herein should be allowable to Applicants. Accordingly, allowance is respectfully requested.

Respectfully submitted,

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